

Application/Control Number: 09/770,070
Art Unit: 2686

Docket No.: PALM-3238

REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

By this amendment, claims 35-67 remain pending and claims 35-44, 46-55, 57 and 62 were amended. Claims 35, 46 and 57 were amended to more clearly recite the claimed invention and the remaining amended claims were amended to conform with their respective independent claims.

Rejection of Claims 35, 38-42, 46, 47, 49-53, 57, 58 and 60-64

On page 2 of the Final Office Action, the Examiner rejected claims 35, 38-42, 46, 47, 49-53, 57, 58 and 60-64 under 35 U.S.C. 10e(e) as allegedly being anticipated by published U.S. Patent Application No. 2002/0035404 to Ficco et al. ("Ficco"). Applicants submit that amended claims 35, 46 and 57 obviate the rejection.

Amended independent claim 35 is directed to a personal digital assistant. The personal digital assistant is configured to, among other things, display a device schedule menu, via a display device, to permit a user to directly select an external device via the device schedule menu for which operation of the external device is to be controlled in accordance with time data directly entered via the device schedule menu. Applicants submit that Ficco fails to disclose or suggest this feature.

Fig. 11 and paragraphs 0115 through 0125 of Ficco disclose a main menu by which a user may select, download, or create a script for controlling one or more devices. The user may set one or more triggers to cause a script to execute. The triggers may be set to activate at a particular time. However, Ficco fails to disclose or suggest a user being permitted to directly select an external device via a device schedule menu for which operation of the external device is to be controlled in accordance with time data directly entered via the device

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schedule menu, as required by amended claim 35. That is, Ficco discloses that to control one or more devices, the user must either select, download or create a script. Applicants submit that this is not equivalent to directly selecting an external device via a device schedule menu, as required by amended claim 35. Further, Applicants submit that although Ficco discloses that triggers may be set according to a particular time, Applicants submit that this is not equivalent to time data being directly entered via the device schedule menu, as required by amended claim 35.

Applicants submit that because Ficco does not disclose or suggest each and every feature of amended claim 35, Ficco does not anticipate amended claim 35. Therefore, Applicants respectfully request that the rejection of claim 35 and dependent claims 38-42 be withdrawn.

Amended independent claims 46 and 57 recite features similar to those of amended claim 35 and are not anticipated by Ficco for at least reasons similar to those provided with respect to claim 35. Therefore, Applicants respectfully request that the rejection of amended independent claim 46, dependent claims 47, 49-53, amended independent claim 57 and dependent claims 58 and 60-64 be withdrawn.

Rejection of Claims 37, 48 and 59

On page 5 of the Office Action, the Examiner rejected claims 37, 48 and 59 under 35 U.S.C. 103(a) as allegedly being unpatentable over Ficco in view of U.S. Patent No. 5,742,905 to Pepe et al. ("Pepe"). Applicants submit that amended independent claims 35, 46 and 57 obviate the rejection.

Claims 37, 48 and 59 depend from amended independent claims 35, 46 and 57, respectively. Applicants submit that claims 37, 48 and 59 are not anticipated by Ficco for at least the reasons discussed above with respect to independent claims 35, 46 and 57. Pepe

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fails to satisfy the deficiencies of Ficco. Therefore, Applicants submit that claims 37, 48 and 59 are patentable over Ficco in view of Pepe and respectfully request that the rejection of claims 37, 48 and 59 be withdrawn.

Rejection of Claims 43, 44, 54, 55, 65 and 66

On page 5 of the Office Action, the Examiner rejected claims 43, 44, 54, 55, 65 and 66 under 35 U.S.C. 103(a) as allegedly being unpatentable over Ficco in view of U.S. Patent No. 5,657,317 to Mahany et al. ("Mahany"). Applicants submit that amended independent claims 35, 46 and 57 obviate the rejection.

Claims 43, 44, 54, 55, 65 and 66 depend from one of amended independent claims 35, 46 or 57. Applicants submit that claims 43, 44, 54, 55, 65 and 66 are not anticipated by Ficco for at least the reasons discussed above with respect to independent claims 35, 46 and 57.

Mahany fails to satisfy the deficiencies of Ficco. Therefore, Applicants submit that claims 43, 44, 54, 55, 65 and 66 are patentable over Ficco in view of Mahany and respectfully request that the rejection of claims 43, 44, 54, 55, 65 and 66 be withdrawn.

Rejection of Claims 45, 56 and 67

On page 6 of the Office Action, the Examiner rejected claims 45, 56 and 67 under 35 U.S.C. 103(a) as allegedly being unpatentable over Ficco in view of U.S. Patent No. 6,591,094 to Bentley. Applicants submit that amended independent claims 35, 46 and 57 obviate the rejection.

Claims 45, 56 and 67 depend from amended independent claims 35, 46 and 57, respectively. Applicants submit that claims 45, 56 and 67 are not anticipated by Ficco for at least the reasons discussed above with respect to independent claims 36, 48 and 57. Bentley fails to satisfy the deficiencies of Ficco. Therefore, Applicants submit that claims 45, 56 and

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67 are patentable over Ficco in view of Bentley and respectfully request that the rejection of claims 45, 56 and 67 be withdrawn.

CONCLUSION

Having addressed all rejections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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